

IN RE: PETITIONS FOR ADMINI. SPECIAL
HEARING AND VARIANCE – SW/Corner
North Avenue and Kurtz Avenue
(1710 Kurtz Avenue)
8th Election District
4th Councilmanic District

Edward C. Byrnes, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-206-SPHA

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Administrative Special Hearing and Variance filed by the owners of the subject property, Edward C. and Lisa S. Byrnes. The Petitioners seek approval of a waiver, pursuant to Sections 26-171, 26-172(b) of the Baltimore County Code, of Sections 26-203(c)(8) and Section 26-278 thereof, to permit construction of an addition to an existing historic building. In addition, the Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the required 15 feet and a sum of the side yard setbacks of 13 feet in lieu of the required 40 feet for the existing dwelling and proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127(b)(1) of the Baltimore County Code, and a floor plan of the property depicting the existing and proposed improvements. The information submitted is persuasive that the proposed improvements are consistent with the character and historic features of the existing dwelling and will not be inappropriate. Furthermore, the Landmarks Preservation Commission reviewed the Petitioners' proposal and approved the addition as proposed, as evidenced by the Zoning Plans Advisory Committee comments submitted by the Office of Planning, dated December 16, 1998. There is no evidence in the file to indicate that the requested waiver and variances would

ORDER RECEIVED FOR FILING

Date

By

adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. Moreover, the relief requested complies with the requirements of Section 26-542 of the B.C.Z.R., and should therefore be approved.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of December, 1998 that the Petition for Special Hearing seeking approval of a waiver, pursuant to Sections 26-171 and 26-172(b) of the Baltimore County Code, of Sections 26-203(c)(8) and Section 26-278 thereof, to permit construction of an addition to an existing historic building, and variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3 feet in lieu of the minimum required 15 feet and a sum of the side yard setbacks of 13 feet in lieu of the required 40 feet for the existing dwelling and proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 12/23/98
BY [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

December 23, 1998

Mr. & Mrs. Edward C. Byrnes
1710 Kurtz Avenue
Lutherville, Maryland 21093

RE: PETITIONS FOR ADMINISTRATIVE SPECIAL HEARING & VARIANCE
SW/Corner North Avenue and Kurtz Avenue
(1710 Kurtz Avenue)
8th Election District – 4th Councilmanic District
Edward C. Byrnes, et ux - Petitioners
Case No. 99-206-SPHA

Dear Mr. & Mrs. Byrnes:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Administrative Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel; Case File



Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



1710 KURTZ AVE.
for the property located at LUTHERVILLE, MD 21093
which is presently zoned DR-2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278 to

CONSTRUCT ADDITION TO BUILDING.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 99-206-SPHA

Reviewed By JF Date 11/16/98

Estimated Posting Date 11-29-98

FILED RECEIVED FOR FILING

Date

By

Affidavit

in Support of Administrative Special Hearing

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1710 Kurtz Ave.
Address
Lutherville MD. 21093
City State Zip Code

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
Signature
EDWARD C. BYRNES
Name - Type or Print

[Signature]
Signature
LISA S. BYRNES
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16 day of NOV., 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

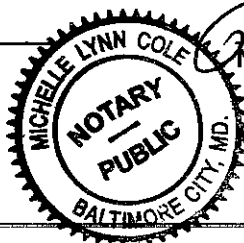
EDWARD C. BYRNES AND LISA S. BYRNES

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

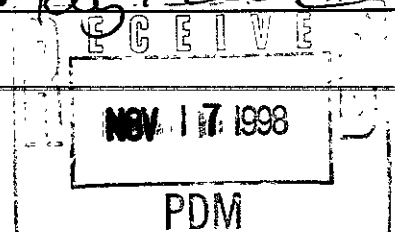
AS WITNESS my hand and Notarial Seal

11/16/98
Date
[Signature]
Notary Public

REV 9/18/98



My Commission Expires May 1 2002



Affidavit

in Support of Administrative Special Hearing

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1710 Kurtz Ave.
Address
Lutherville MD, 21093
City State Zip Code

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
Signature
EDWARD C. BYRNES
Name - Type or Print

[Signature]
Signature
LISA S. BYRNES
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16 day of NOV, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

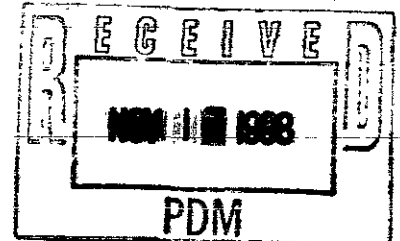
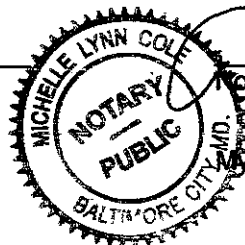
EDWARD C. BYRNES AND LISA S. BYRNES

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

Date 11/16/98
[Signature] Notary Public
Commission Expires 5/1/02

REV 9/18/98



Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County



1710 KURTZ AVE.
for the property located at LUTHERVILLE, MD 21093
which is presently zoned DR-2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278 to

CONSTRUCT ADDITION TO BUILDING.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Case No. 99-206-SPHA

Reviewed By JF Date 11/16/98

R20 9/18/98

Estimated Posting Date 11-29-98



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1710 Kurtz Ave,
Lutherville, MD. 21093
which is presently zoned DR 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 BCZR

To permit a side yard setback of 3' in lieu of the minimum required 15' and a sum of the side yard setbacks of 13' in lieu of the required 40'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

EDWARD C. BYRNES
Name - Type or Print _____
Signature _____
LISA S. BYRNES
Name - Type or Print _____
Signature _____
1710 KURTZ AVE, 410-296-0327 (W)
Address _____ Telephone No. _____
Lutherville MD. 21093 (#)
City _____ State _____ Zip Code _____

Representative to be Contacted:

LEGAL OWNER
Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-206-5PHA

Reviewed By JRF Date 11/16/98

Estimated Posting Date 11-29-98

ORDER RECEIVED FOR FILING
12/22/98
REV 04/5/98

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

1710 Kurtz Ave,
Address
Lutherville MD. 21093
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We are proposing a 21'6" x 50'9" addition, to include a 2 car garage, family room, and 2nd floor master bedroom. The proposed addition would be 3 feet from the north side property line.

We are asking for this side setback based on the fact that now, and for the past 9 years, we have used, improved, and maintained an additional 22 feet of side property as a side yard and driveway. This 22 feet begins at our side property line and extends to the center line of a "paper road" as seen on plat as North Avenue. We intend to claim title to the said 22 feet of property by way of a road closing in the near future.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of NOV, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

EDWARD C. AND LISA S. BYRNES
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

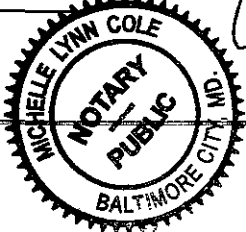
AS WITNESS my hand and Notarial Seal

Date

Notary Public

My Commission Expires

REC'D 09/15/98



Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

1710 Kurtz Ave,
Address
Lutherville MD. 21093
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):


We are proposing a 21'6" x 50'9" addition, to include a 2 car garage, family room, and 2nd floor master bedroom. The proposed addition would be 3 feet from the north side property line.

We are asking for this side setback based on the fact that now, and for the past 9 years, we have used, improved, and maintained an additional 22 feet of side property as a side yard and driveway. This 22 feet begins at our side property line and extends to the center line of a "paper road" as seen on plat as North Avenue. We intend to claim title to the said 22 feet of property by way of a road closing in the near future.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


Signature

Name - Type or Print


EDWARD C. BYRNES

Signature

Name - Type or Print


LISA S. BYRNES

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of NOV., 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

EDWARD C. AND LISA S. BYRNES
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

Date

11/6/98



Notary Public

My Commission Expires

May 12002



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1710 KURTZ AVE.
Lutherville, MD 21093
which is presently zoned DR 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 BCZR

TO PERMIT A SIDE YARD SET BACK OF 3' IN
LIEU OF THE MINIMUM REQUIRED 15' AND
A SUM OF THE SIDE YARD SETBACKS OF
13' IN LIEU OF THE REQUIRED 40'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11 day of NOV, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-206-SPHA

Reviewed By JRP

Date 11/16/98

REV 9/15/98

Estimated Posting Date 11-29-98

AS TO PARCEL #2

BEGINNING FOR THE SAME at the corner formed by the intersection of the southwest side of North Avenue with the northwest side of Kurtz Avenue as shown on a Plat of Lutherville, made by William Sides, surveyor which plat is recorded among the land records of Baltimore County in Plat Book WPC No. 8 folio 57 and running thence binding on the northwest side of Kurtz Avenue South 27 degrees 33 minutes West 75 feet; thence leaving said Avenue and running for a line of division now made parallel with North Avenue North 63 degrees 59 minutes West 209.50 feet to the Southeast side of Second Avenue as laid out on said Plat of Lutherville thence binding on the southeast side of Second Avenue North 27 degrees 33 minutes East 75 feet to the corner formed by the intersection of the southeast side of said Second Avenue with the Southwest side of North Avenue; and thence binding on the Southwest side of North Avenue South 63 degrees 59 minutes East 209.50 feet to the place of beginning.

THE IMPROVEMENTS THEREON BEING KNOWN AS NO. 1710 KURTZ AVENUE.
ALSO LOCATED IN THE 8th ELECTION DISTRICT, 4th COUNCILMANIC DISTRICT.

AS TO PARCEL #1

BEGINNING FOR THE SAME at a corner formed by the intersection of the south side of North Avenue with the east side of Second Avenue being shown on a plat of Lutherville recorded among the land records of Baltimore County in Plat Book WPC No. 8 folio 57, said beginning point also being at the end of the third line described in a Deed dated May 8, 1948 and recorded among the land records of Baltimore County in Liber TBS 1663 folio 204, thence binding reversely along said third line and on the east side of Second Avenue South 19 degrees 21 minutes 49 seconds West 75.00 feet to the beginning of said third line, thence for a new line of division North 72 degrees 10 minutes 11 seconds West 310.26 feet to the east side of Northern Central Railroad, formerly the Baltimore and Susquehanna Railroad, thence binding along said railroad with a line curving to the left having a radius of 1098.84 feet plus or minus for a distance of 81.38 feet (the arc of which is subtended by a chord bearing North 5 degrees 1 minute 4 seconds West 81.36 feet) to the south side of North Avenue, thence binding on the south side of North Avenue South 72 degrees 10 minutes 11 seconds East 343.85 feet to the place of beginning.

CONTAINING 0.5620 ACRES OF LAND MORE OR LESS.

BEING A PART OF LOT NO. 13 AS LAID OUT ON THE ABOVEMENTIONED PLAT OF LUTHERVILLE.

BEING ALSO, LOT NO. 3 AS SHOWN ON A SURVEY ENTITLED, "PACKARD PROPERTY", DATED AUGUST 19, 1986 AND PREPARED BY MCKEE AND ASSOCIATES, INC., CIVIL ENGINEERS AND LAND SURVEYORS.

206

99-206-SPHA

BALTIMORE COUNTY, MARYL)
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 061834

DATE 11-16-98 ACCOUNT R-001-015-000

AMOUNT \$ 100.00

RECEIVED FROM: Edward C. Byrnes

1710 Kurtz Ave.

Admin. Unit = SU-

FOR: Admin. SP# = SU-

ITEM # 206

Taken by: JRF

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

11/16/1998 11/16/1998 10:27:01

REF 1202 CASHIER JRF JRF DOKET: 2

5 MISCELLANEOUS CASH RECEIPT

Receipt # 070505

OP NO. 061834

100.00 CASH

Baltimore County, Maryland

99-206-SPH A

CASHIER'S VALIDATION

99-206-A
RE: Case No.: 99-206-SPH(H)

Petitioner/Developer: ED C. BYRNES, ETAL

C/O P. O'KEEFE

Date of Hearing/Closing: 12/14/98

AV
12/14

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #1710 KURTZ AVE.
2 SIGNS ONSITE

The sign(s) were posted on 11/28/98
(Month, Day, Year)

Sincerely, Patrick M O'Keefe 12/8/98

Patrick M. O'Keefe 12/8/98

(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

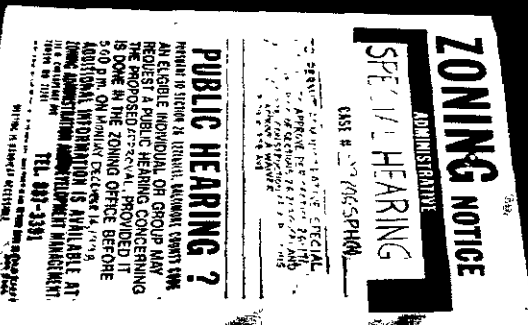
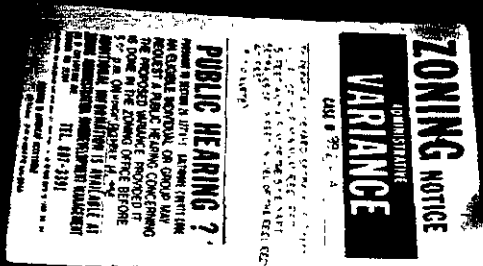
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Page 14101 905-8571



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 206 -A Address 1710 KURTZ AVE. Lutherville, Md 21093

Contact Person: Jon R. Fernando Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11-16-98 Posting Date: 11-29-98 Closing Date: 12-14-98

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99- 206 -A Address 1710 Kurtz Ave.

Petitioner's Name EDWARD C. BYRNES Telephone 410-296-0323

Posting Date: 11-29-98 Closing Date: 12-14-98

Wording for Sign: To Permit a side yard setback of 3 feet in lieu of the
minimum required 15 feet and a sum of the side yard setbacks
of 13 feet in lieu of the required 40 feet.

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case Number 99- 206 -SPH Address 1710 KURTZ AVE., Lutherville, Md. 2109

Contact Person: Jun R. Fernando Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11-16-98 Posting Date: 11-29-98 Closing Date: 12-14-98

Any contact made with this office regarding the status of the administrative special hearing should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE SPECIAL HEARING SIGN FORMAT

Case Number 99- 206 -SPH Address 1710 Kurtz Ave, Lutherville

Petitioner's Name EDWARD C. BYRNES Telephone 410-296-0323

Posting Date: 11-29-98 Closing Date: 12-14-98

Wording for Sign: Administrative Special Hearing to approve a waiver pursuant to
Sections 26-171, 26-172(Cb), Baltimore County Code of Sections 26-203
(c)(c8) and Section 26-278 to construct addition to building.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 206

Petitioner: EDWARD C. AND LISA S. BYRNES

Location: 1710 KURTZ AVE - LUTHERVILLE, MD 21093

PLEASE FORWARD ADVERTISING BILL TO:

NAME: EDWARD AND LISA BYRNES

ADDRESS: 1710 KURTZ AVE,
LUTHERVILLE, MD 21093

PHONE NUMBER: 410-252-1652

AJ:ggs

(Revised 09/24/96)

99-206-SPHA-16-

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
1710 Kurtz Avenue, NWC of Kurtz Ave,
8th Election District, 4th Councilmanic

Legal Owners: Edward C. and Lisa S. Byrnes

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-206-SPHA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of December, 1998, a copy of the foregoing Entry of Appearance was mailed to Legal Owners Edward C. and Lisa S. Byrnes, 1710 Kurtz Avenue, Lutherville, MD 21093, Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 14, 1998

Mr. & Mrs.. Edward C. Byrnes
1710 Kurtz Avenue
Lutherville, MD 21093

RE: Item No.: 206
Case No.: 99-206-SPHA
Location: 1710 Kurtz Avenue

Dear Mr. & Mrs. Byrnes:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on November 16, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



**Maryland Department of Transportation
State Highway Administration**

Parns N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 11.27.98

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 206 JRF

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

/s/ Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

November 30, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 30, 1998

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

206, 207, 209, 210, 211, 212, 213, 214, and 215

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: December 16, 1998

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 1710 Kurtz Avenue

INFORMATION

Item Number: 206
Petitioner: Edward Byrnes (owner)
Zoning: DR - 2
Requested Action: Special Hearing

RECOMMENDATIONS ON THE PROPOSAL

Because this property is located in the Lutherville County Historic District, the proposed work is subject to the Landmarks Preservation Commission's approval pursuant to Section 26-542.

At their meeting on December 10, 1998, the Commission unanimously approved the addition as proposed, conditioned on the approval of the administrative variance for the setbacks.

Section Chief: *Jeffrey W. Lay*

KA:rlh

1

Plat to Accompany Petition
for
Zoning Variance and Special Exception
for

Purpose:

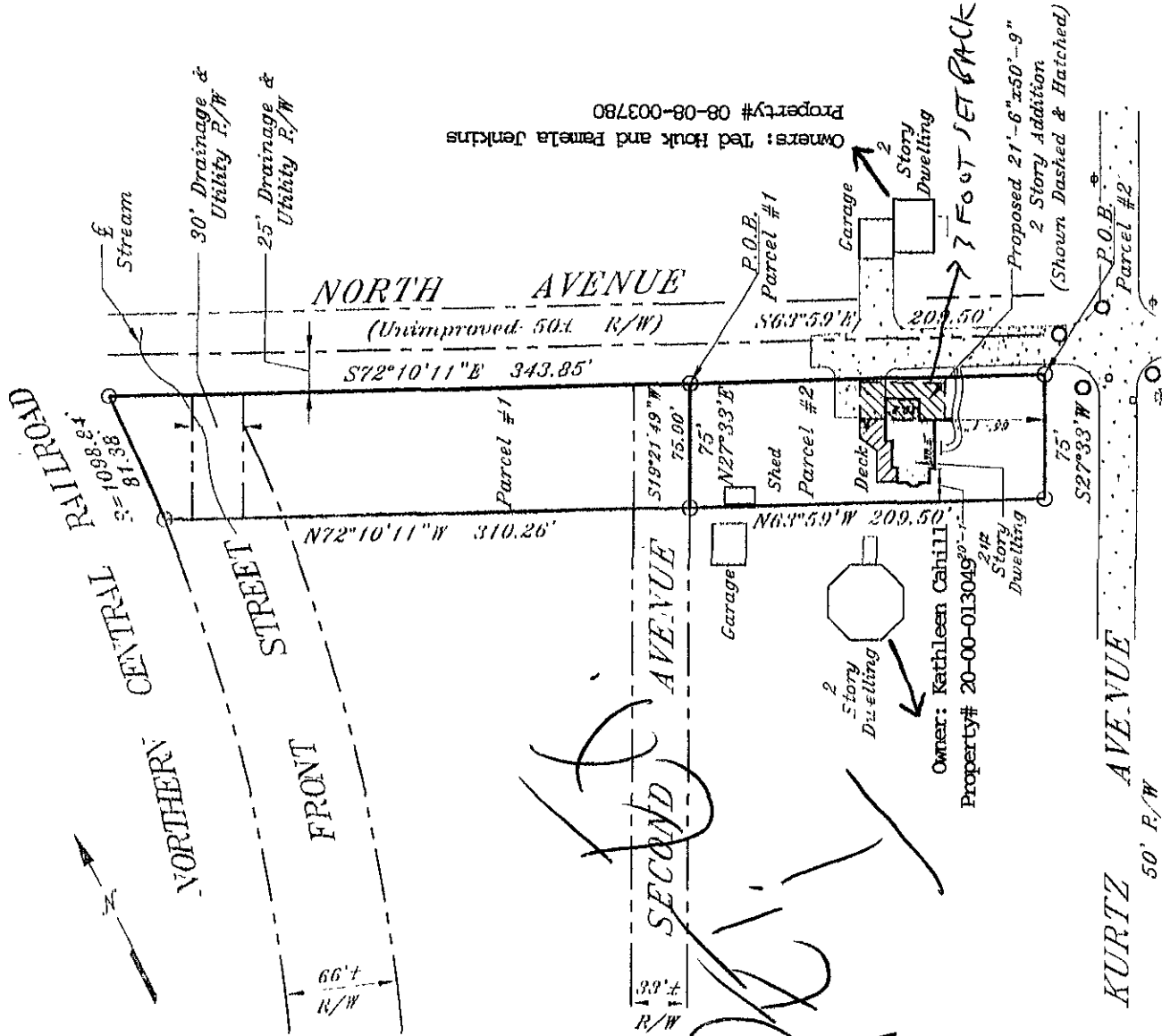
Property Address: 1710 Kurtz Avenue
Tax Account Number: Baltimore County, MD., 21204
Deed Reference: 08-0819001700
Property Owner: Liber: B217, Folio: 265
Mailing Address: Edward C. and Lisa S. Byrnes
1710 Kurtz Avenue

LEGEND

- | | | | |
|---|-----------------|---|--------------|
| ○ | Property Corner | — | Paving |
| ○ | Manhole Cover | ⊙ | Utility Pole |
| ⊙ | Fire Hydrant | ○ | Water Valve |



Purton Design Corporation
8422 Bellona Lane
Towson, Maryland 21204
(410) 823-5000
Fax (410) 823-0115
Scale 1" = 100'



Owners: Ted Hawk and Pamela Jenkins
Property# 08-08-003780

Owner: Kathleen Cahill
Property# 20-00-013049
Proposed 21'-6\"/>

LOCATION INFORMATION

Election District : 8
Councilmanic District : 4
1\"/>

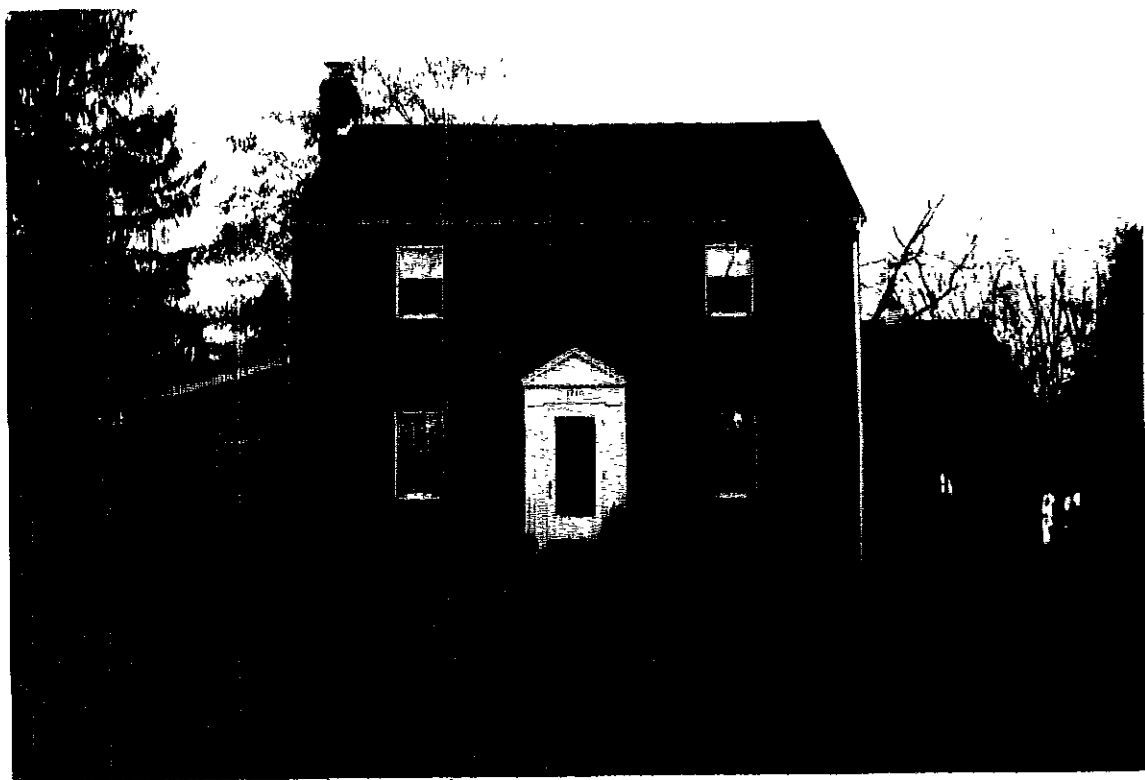
Sewer : ☒ Public ☐ Private
Water : ☒
Chesapeake Bay : ☐
Critical Area : ☒

Prior Zoning : Case No. 94-192-A
Hearings : Dated: 12-8-93

ZONING OFFICE USE ONLY

Reviewed By : JF
Case Number : 206

99-206-SPNA



SUBJECT PROPERTY - 1710 KURTZ AVE.



AREA OF PROPOSED CHANGE



1712 KURTZ AVE.



#206

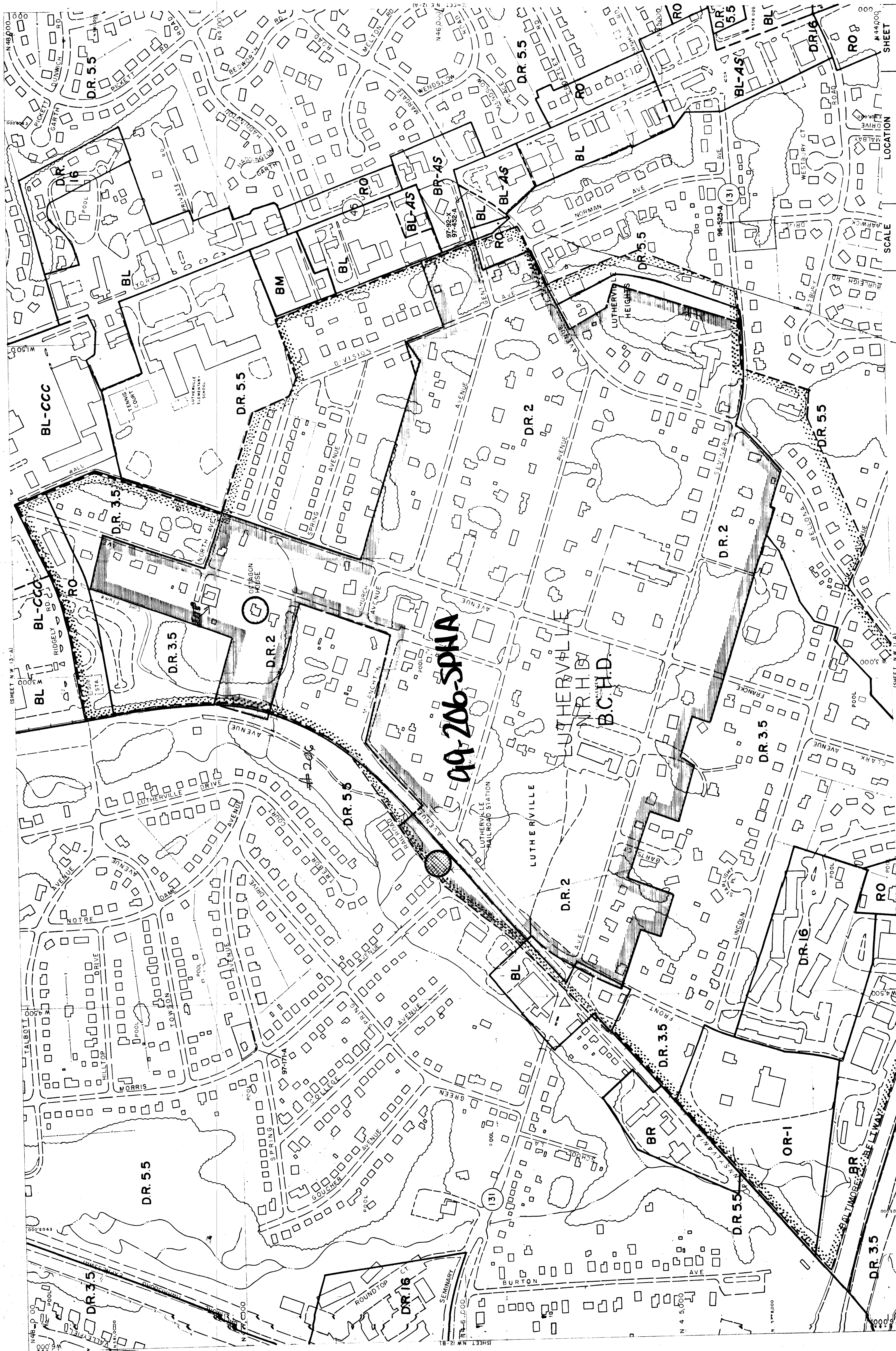
99-206-SPHA



99-206-SPIN

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	LUTHERVILLE	N.W. 12-A
DATE OF PHOTOGRAPHY JANUARY 1986		



BALTIMORE COUNTY		SHEET NW 12-A
OFFICE OF PLANNING AND ZONING		
OFFICIAL ZONING MAP		LOCATION LUTHERVILLE
1" = 200' ±		SCALE
DATE OF PHOTOGRAPHY JANUARY 1986		DATE

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kevin Kamenetz
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAPHIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210